

Rev 2/06

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : MARK ANDREW ENGLUND ET AL.
 Application No. :
 Filed : Herewith
 Confirmation No. :
 For : METHOD OF OPTICAL DATA STORAGE
 Examiner :
 Attorney's Docket : GRIF-002XX

TC Art Unit:

 I hereby certify that this correspondence is being deposited with the
 United States Postal Service as first class mail in an envelope
 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA
 22313-1450 on _____.

By: _____
 Charles L. Gagnebin III
 Registration No. 25,467
 Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the
 enclosed references listed on the attached copy of PTO Form #1449. The
 paragraph(s) marked below are applicable to this Information Disclosure
 Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached
 Information Disclosure Statement is being filed within three
 months of the filing date of the above identified national
 application or within three months of the date of entry of the
 national stage as set forth in 37 C.F.R. § 1.491 of the above
 identified application. Accordingly, applicant(s) believes that
 no fee or statement under 37 C.F.R. § 1.97(e) is required.

- [] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
[] a statement under 37 CFR § 1.97(e); or
[] the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- [] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

- [] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

- [] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. §

Attorney Docket No.: GRIF-002XX
Filed: Herewith
TC Art Unit:
Confirmation No.:

1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made. The filing of this Information Disclosure Statement is not to be construed to be an admission that the information cited herewith is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that Applicant(s) is(are) unable to provide an affidavit under 37 CFR §1.131 swearing back of such information.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

These references were cited in an International Search Report (copy enclosed) which issued in International Application No. PCT/AU2004/001307 filed September 27, 2004; and in an International-Type Search Report (copy enclosed) which issued in priority Australian application No. 2003905247 filed September 25, 2003.

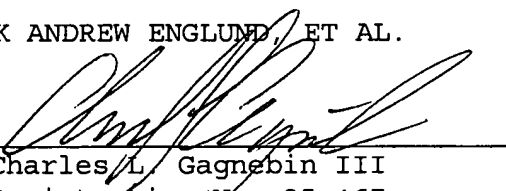
Attorney Docket No.: GRIF-002XX
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TC Art Unit:
Confirmation No.:

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

MARK ANDREW ENGLUND, ET AL.

By:


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Date: March 24, 2006

CLG/mc/334105.1
Enclosure

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				ATTY. DOCKET NO. GRIF-002XX		APPLICATION NO.	
				APPLICANT: Mark Andrew Englund, et al.			
				FILING DATE Herewith		TC ART UNIT	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
		US 5,671,308	9-1997	Inoue et al.			
		US 2002/0186927	12-2002	Koo et al.			
		US 5,530,666	6-1996	Kashyap et al.			
		US 2002/0015376	2-2002	Liu et al.			
		US 6,009,220	12-1999	Chan et al.			
		US 2003/0161636	8-2003	Ohta et al.			

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		GB 2372100	8-2002	Great Britain				
		GB 1082407	9-1967	Great Britain				
		JP 05-122156	5-1993	Japan				
		WO 2004/025344	3-2004	WIPO				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

CLG/mc/334107.1

FOREIGN REFERENCES WILL BE FURNISHED IN THE FUTURE